

2018-AW-0076
WARR
Warrant
5322120



2018-AW-0076
C.B. 5-22-18-AW1
WARRANT NUMBER: _____

COMPLAINT AND AFFIDAVIT FOR ARREST WARRANT

THE STATE OF TEXAS §

COUNTY OF FORT BEND §

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS:

BEFORE ME, the undersigned authority, on this day personally appeared DETECTIVE THOMAS CANTU, a peace officer employed by the FORT BEND COUNTY SHERIFF'S OFFICE, who after being by me duly sworn, on Oath deposes and that he has good reason to believe, and does believe, based on his personal investigation, that **DEBORAH HELEN SUTTER**, Texas Driver's License number [REDACTED], Date of Birth of [REDACTED] last known address [REDACTED]

[REDACTED] heretofore, on or about **April 11, 2018**, before the making and filing of this complaint, in the County of Fort Bend and the State of Texas, did commit the offense of **INDECENCY WITH A CHILD BY SEXUAL CONTACT**, under Texas Penal Code Section 21.11, when she engaged in sexual contact with FRANK THOMAS (PSEUDONYM), a child younger than 17 years of age, by causing the hand of DEBORAH HELEN SUTTER (SUSPECT) to contact the genitals of FRANK THOMAS (PSEUDONYM), with the intent to arouse or gratify the sexual desire of DEBORAH HELEN SUTTER (SUSPECT) and/or the child FRANK THOMAS (PSEUDONYM).

AFFIANT HAS PROBABLE CAUSE FOR SAID BELIEF BY REASON OF THE FOLLOWING FACTS:

Affiant, Thomas Cantu, is a credible person and a Peace Officer with the Fort Bend County Sheriff's Office (FBCSO). Affiant has been employed as a commissioned Texas Peace Officer with the Fort Bend County Sheriff's Office for 22 years. Affiant is currently assigned as a Detective to the Criminal Investigation Division, Robbery/Homicide Section. Affiant has received advanced training in the investigation of various crimes against persons, including violent offenses involving injuries and deaths, and sexual offenses inclusive of the offense of **Indecency with a Child**.

Because this Affidavit is being submitted for the limited purpose of establishing probable cause for the issuance of an arrest warrant, Affiant has not included each and every detail of the investigation known to him. Rather, Affiant has only provided sufficient information believed necessary to establish probable cause for the issuance of the arrest warrant. Where Affiant reports conversations with witnesses and statements made by others to other persons or police officers, those conversations and statements are reported in substance and in part.

Where Affiant describes and reports interviews, facts, details, and observations made by other police officers, Affiant describes and reports those interviews, facts, details, and observations as they were relayed directly back to Affiant by the witnessing police officer.

Affiant's belief that the foregoing facts and allegations are true and correct is based upon his personal knowledge of this case, interviews with witness(es), review of available physical evidence, review of data contained within law enforcement indices, and conversations with his co-workers, who are peace officers as well, Fort Bend County Juvenile Probation Director Kenny Johnson, and Fort Bend County Juvenile Probation Coordinator Chance Bagley which collectively reveals the following:

On May 16, 2018, Affiant was assigned this case to conduct a follow-up investigation.

Affiant reviewed this case report and learned Deputy T. Hibbs #1380 of the Fort Bend County Sheriff's Office was dispatched to 122 Golfview Drive (Fort Bend County Juvenile Detention Center), Richmond, Fort Bend County, Texas, in reference to a Significant Incident where a juvenile in the FBC Juvenile Detention Center referred to in this affidavit and warrant as Frank Thomas (pseudonym) had a visit from a Volunteer-Mentor named Deborah Sutter, and it appeared the juvenile was touching the visitor around her waist and pulling on her shirt.

Affiant began the investigation on May 17, 2018, by calling the Reportee Chance Bagley.

Friday / May 18, 2018

On Friday, May 18, 2018, Affiant met with Chance Bagley (PREA Coordinator of Fort Bend County Juvenile Probation) at 122 Golfview Drive, Richmond, Texas.

Affiant learned from Chance Bagley, hereinafter also referred to as Chance, that on May 16, 2018, he was contacted by Kenny Johnson (Detention Director), hereinafter also referred to as Kenny. Chance relayed that Kenny advised Chance that on May 16, 2018, he was reviewing live video footage of a visit between Frank Thomas (pseudonym), the juvenile in custody, whose date of birth is [REDACTED], hereinafter referred to by pseudonym name or as Frank, and Deborah Sutter, a Volunteer Mentor, hereinafter also referred to by name or as Suspect, in visitation room #4 of the Fort Bend County Juvenile Probation Detention Center.

Affiant learned from Chance that Kenny advised Chance that while viewing the visit between Frank and Deborah Sutter, he observed Frank reach over with his left hand, and touch Deborah Sutter around her waist area.

Affiant learned from Chance that Kenny advised Chance that after he observed the contact between Frank and Deborah Sutter, he terminated the visit between Frank and Deborah Sutter.

Chance told Affiant that after learning about the incident between Frank and Deborah Sutter, he came to the office to conduct further investigation into the matter, and filed a report with Texas Juvenile Justice Department about the incident.

Affiant learned from Chance that on May 16, 2018, Chance conducted a brief interview with Frank Thomas (pseudonym), and Frank stated that Deborah Sutter has touched his private area on one or two occasions during their past visits, (which occurred at the Fort Bend County Juvenile Probation Detention Center).

Affiant learned from Chance Bagley that on May 17, 2018, he and Kenny Johnson (Detention Director) began reviewing past video visits between Frank Thomas (pseudonym), and Deborah Sutter.

Affiant learned from Chance that Deborah has been a Volunteer Mentor with the Fort Bend County Juvenile Probation Office for the past three years, and has been visiting with Frank Thomas (pseudonym) since March 2017.

Affiant learned from Chance that the video footage of the visits between Frank Thomas (pseudonym) and Deborah Sutter only goes back as far as March 29, 2018.

Affiant learned from Chance that the video recordings of the visits between Frank Thomas (pseudonym) and Deborah Sutter reveal Deborah Sutter extending her right hand to Frank's crotch area, and moments later Frank's penis is exposed.

Chance told affiant that there are about four separate visits between Frank, and Deborah where the above described incident occurs.

Affiant learned from Chance that there are other visits between Frank Thomas (pseudonym) and Deborah Sutter where Frank reaches over with his left hand and touches Deborah around her waist area.

Affiant learned from Chance that in one of the videos Frank Thomas (pseudonym) and Deborah give each other a kiss on the lips.

Chance told Affiant that he would forward any and all video footage they have between Frank Thomas (pseudonym) and Deborah Sutter to Affiant.

Affiant was escorted by Chance to Kenny Johnson's Office (Detention Director) where Kenny showed Affiant several separate video recordings of the visits between Frank Thomas (pseudonym) and Deborah Sutter.

Affiant observed a recording of a visit between Frank Thomas (pseudonym) and Deborah Sutter that occurred on April 19, 2018, where Deborah reaches over to Frank's crotch area with her right hand.

Affiant further observed a recording of a visit between Frank Thomas (pseudonym) and Deborah Sutter that occurred on April 11, 2018, where Deborah Sutter reaches over to Frank's crotch area, and moments later Frank's penis is exposed on the recording.

Affiant learned from both Chance and Kenny there are several additional video recorded visits they have observed between Frank Thomas (pseudonym) and Deborah Sutter in which similar incidents occur.

Affiant contacted Fort Bend County Sheriff's Office Sgt. D. Simons, and advised her of the additional information that Affiant learned from speaking with Chance and Kenny.

Affiant contacted Fort Bend County Sheriff's Office Sgt. T. Morris (Special Crimes), and advised him of the investigation.

Affiant was contacted by Sgt. T. Morris and advised that a Forensic Interview had been set for Frank Thomas (pseudonym) at the Fort Bend County Child Advocacy Center, for Monday, May 21, 2018, at 3:30 in the afternoon.

Affiant attended the Forensic Interview of Frank Thomas (pseudonym) at the Fort Bend County Child Advocacy Center on Monday, May 21, 2018 at 3:30 PM.

Forensic Interviewer Kristy Gutierrez conducted the interview with Frank Thomas (pseudonym).

Affiant observed the interview on a closed circuit monitor in a separate room from where the interview was conducted.

Affiant learned the following by observing the statements made by Frank Thomas (pseudonym) during the forensic interview:

Frank Thomas (pseudonym) demonstrated he knows the difference between telling the truth and telling a lie and indicated he would tell the truth.

Frank Thomas (pseudonym) was placed in custody at the Fort Bend County Juvenile Detention Center in March of 2017.

Frank Thomas (pseudonym) was assigned a Mentor shortly after he was placed in custody at the Fort Bend County Juvenile Detention Center.

Deb (Deborah Sutter) was assigned to be Frank Thomas' (pseudonym) Mentor.

Frank did not remember the time period when Deborah Sutter began to touch and play with his penis.

Frank Thomas (pseudonym) believes the sexual contact between he and Deborah began when he returned back to Fort Bend County Juvenile Detention Center the second time, in May of 2017.

Frank Thomas (pseudonym) relayed that Deborah Sutter told Frank that he could touch her anywhere if he wanted.

Frank Thomas (pseudonym) relayed he would touch Deborah on her thigh and on her breast.

Frank Thomas (pseudonym) relayed Deborah would place her hand into Frank Thomas' (pseudonym) pants, and play with his penis.

Frank Thomas (pseudonym) relayed Deborah would pull Frank's penis out from his pants.

Affiant learned Deborah would play with Frank's penis about three or four times each time they had a visit.

Frank Thomas (pseudonym) relayed Deborah would put Frank's penis back into his pants when she heard staff walking past the visitation room.

Frank Thomas (pseudonym) relayed that once Deborah began touching and playing with Frank's penis, she would touch and play with Frank's penis on every visit they had together.

Frank Thomas (pseudonym) relayed that Deborah has been touching and playing with his penis for a while, but Frank could not be certain on the exact time frame of how long the sexual contact has been occurring.

Frank Thomas (pseudonym) relayed that Deborah would tell Frank Thomas (pseudonym) that when he gets released from "Juvenile" she wants to see him and put his penis in her mouth.

Note, Frank Thomas (pseudonym) was [REDACTED] of age at the time of the alleged offense(s). He turned [REDACTED]

Based on the aforementioned facts, Affiant has reason to believe and does believe that on or about April 11, 2018, **Deborah Helen Sutter**, did then and there commit the criminal offense of **Indecency with a Child by Sexual Contact**, a Second Degree Felony as described in section 21.11 of the Texas Penal Code,

I, AFFIANT, **DETECTIVE THOMAS CANTU**, with the Fort Bend County Sheriff's Office, am requesting a warrant for the arrest of **Deborah Helen Sutter**, Texas Driver's License number [REDACTED] Date of Birth of [REDACTED] last known to reside at [REDACTED]

[REDACTED] for the offense of **INDECENCY WITH A CHILD**, a Second Degree Felony, as described in section 21.11 of the Texas Penal Code;

AGAINST THE PEACE AND DIGNITY OF THE STATE.


THOMAS CANTU, AFFIANT

SWORN AND SUBSCRIBED TO BEFORE ME on this the 22th, day of May, 2018.


Signature of Judge/Magistrate

Chad Bridges
Printed Name of Judge/Magistrate
240th District Court
Fort Bend County, Texas

FILED

MAY 24 2018

AT

9:35

A.M. *DM*

Ronnie Rebecca Elliott
Clerk District Court, Fort Bend Co., TX

WARRANT OF ARREST
THE STATE OF TEXAS

WARRANT #: CB 422-R AW1

To any Peace Officer of the State of Texas,

Greetings:

Whereas, Complaint in writing, under oath, has been made before me by **DETECTIVE THOMAS CANTU** a peace officer employed by the Fort Bend County Sheriff's Office, which Complaint and Affidavit is made a part hereof for all purposes, and said Complaint and Affidavit having stated facts and information in my opinion sufficient to establish probable cause for the issuance of this warrant.

You are hereby commanded to arrest:

Deborah Helen Sutter, White/Female, Texas Driver's License number [REDACTED] Date of Birth of [REDACTED], last known to reside at [REDACTED]

And to safely keep her, so that you bring her before the Honorable District Court of Fort Bend County, Texas, at the Courthouse of said County in Richmond, Texas, INSTANTER, then to answer the State of Texas upon a charge based in the attached affidavit for the charge of **Indecency with a Child**, a Second Degree Felony, as described in section 21.11 of the Texas Penal Code.

Bond shall be set at \$ 50,000, and the following conditions shall be required.

Herein fail not, but of this writ make due return, showing how you have executed the same.

Witness my official signature, this 22nd day of May 2018.

Signature of Judge/Magistrate

Printed Name of Judge/Magistrate

240th District Court
Fort Bend County, Texas

FILED

MAY 24 2018

AT 9:39 A.M.

Ronnie Rebecca Elliott
Clerk District Court, Fort Bend Co., TX

WARRANT #

CB 522-18 AW1

CONDITIONS OF BOND - INDECENCY WITH A CHILD
SUSPECT, DEBORAH HELEN SUTTER

- ✓ 1. The **SUSPECT, DEBORAH HELEN SUTTER**, shall surrender her passport to the Fort Bend County Sheriff's Office (Jail Personnel) prior to release. *If the Defendant does not have a passport, she shall execute a sworn affidavit to that effect and provide it to jail personnel prior to release.*
- ✓ 2. The **SUSPECT, DEBORAH HELEN SUTTER**, shall have no contact, or attempted contact whether in person, by electronic communications, in writing, through a third party or otherwise with the child complainant or the complainant's immediate family.
- ✓ 3. The **SUSPECT, DEBORAH HELEN SUTTER**, shall have no contact, or attempted contact whether in person, by electronic communications, in writing, through a third party or otherwise with any child under 18 years of age, including any family members.
- ✓ 4. The **SUSPECT, DEBORAH HELEN SUTTER**, shall report as directed to the Fort Bend County Community Supervision and Corrections Department Pre-Trial Division. (The defendant shall report, in person, a minimum of once every 30 days).
- ✓ 5. The **SUSPECT, DEBORAH HELEN SUTTER**, shall submit to active satellite monitoring under the supervision of the Fort Bend County Community Supervision and Corrections Department Pre-Trial Release Division, at her expense.
- ✓ 6. The **SUSPECT, DEBORAH HELEN SUTTER**, shall remain in Fort Bend County or counties contiguous to Fort Bend County, unless written permission is obtained from the Court in advance.
- ✓ 7. The **SUSPECT, DEBORAH HELEN SUTTER**, shall remain at least 500 feet from any premises where children commonly gather.
- ✓ 8. The **SUSPECT, DEBORAH HELEN SUTTER**, shall pay a \$40 per month Supervision/Administrative Fee to the Fort Bend County Community Supervision and Corrections Department on the date of his release, and on the same date each month thereafter until the case is disposed.

5-22-18
DATE

FILED

MAY 24 2018

AT 9:35 P.M.

Ronnie Rebecca Elliott
Clerk District Court, Fort Bend Co., TX

JUDGE/MAGISTRATE
24th District
COURT
FORT BEND COUNTY, TEXAS

WARRANT # CB 5-22-18 AW1

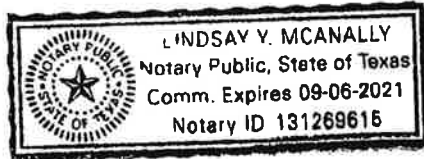
OFFICER'S RETURN

Came to hand the 22 day of May, 2018, at 2:58 PM o'clock.
AM/PM, and executed on the 22 day of May, 2018, at 2:58
o'clock AM/PM, by arresting the within named Deborah Suttler at
12915 Darry Ashland in Fort Bend County, Texas.

I actually and necessarily traveled 6 miles in the service of this writ, in addition
to any other mileage I may have traveled in the service of other process in this cause
during the same trip.

By, [Signature]
Officer/Deputy

FBCSO
Fort Bend County, Texas



[Signature]